

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

*Plaintiff,*

v.

SAMSUNG ELECTRONICS CO., LTD. and  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

*Defendants.*

Case No. 2:23-cv-00103-JRG-RSP

**JURY TRIAL DEMANDED**

**JOINT MOTION REGARDING EVIDENTIARY HEARING ON STANDING**

Following the Pretrial Conference held on December 16, 2024, and pursuant to the Court's instructions (Hearing Tr. at 29:22-30:6), Plaintiff Headwater Research LLC ("Headwater") and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung"), reached the agreement regarding various aspects of an evidentiary hearing on standing in this case. Statements which are agreed to by both Headwater and Samsung are not highlighted. Statements proposed by Headwater that are not agreed to by Samsung are bracketed in **blue, bold font**. Statements proposed by Samsung that are not agreed to by Headwater are in **red, bold font**. The parties jointly move the Court to adopt the agreed-upon provisions, and each party moves the Court to adopt their respective proposed provisions.

1. Headwater and Samsung would be agreeable to conducting the evidentiary hearing in this case on February 18, 19, or 20, if this date is convenient for the Court. **[Samsung requests that the evidentiary hearing on standing occur prior to trial in this case.]**

2. **[Consistent with *Script Sec. Sols., LLC v. Amazon.com, Inc.*, No. 2:15-CV-1030-WCB, 2016 WL 6433776, at \*4 (E.D. Tex. Oct. 31, 2016),]** The parties also agree to provide the following to the Court 10 calendar days before the date of the evidentiary hearing: a list of witnesses who would testify at the hearing and a **[detailed proffer]** **[description]** of the testimony to be provided by each witness. **[Each party will also be required at that time to provide to the Court all other evidence that the party intends to rely on in support of its position on the standing issue, with the exception of evidence that may be used for cross examination.]**

Dated: January 21, 2025

Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

Counsel for Plaintiff and counsel for Defendants have met and conferred in compliance with Local Rule CV-7(h). Plaintiff does not oppose this motion.

/s/ Jonathan B. Bright  
Jonathan B. Bright

**CERTIFICATE OF SERVICE**

I certify that on January 21, 2025 counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

/s/ Jonathan B. Bright  
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